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# LARRY CRAIG

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NEWS RELEASE

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**O Long May it Wave**  
**by Idaho Senator Larry Craig**

Few symbols in our world stir up more emotion than the American flag. For Americans, it embodies all that we stand for. For our enemies, it represents all they seek to destroy.

It has served as the banner of freedom from Iwo Jima to Normandy, from Korea to Baghdad, from Atlanta to Baltimore. For well over two hundred years, its "broad stripes and bright stars" have stood for the freedoms tens of thousands have died to preserve. We are reminded of that every time we drape our flag over the coffin of an American who has served our country.

Our enemies know what our flag means and the emotions it stirs in our souls. That is why, when terrorists in the Middle East vilify all things American, they burn our flag, and when our soldiers face the enemy, the enemy seeks to destroy our flag. And, it is why when American protesters want to ensure attention is paid to their pet cause, they desecrate a flag.

When Americans desecrate our flag in the name of free speech, they destroy the very symbol of the freedoms they seek to celebrate, inciting fellow Americans. While our Constitution protects speech, it does not protect every conceivable expression, and it was this capacity to incite that our anti-flag desecration laws were designed to protect us from.

Unfortunately, in 1989, the United States Supreme Court, in *Texas v. Johnson*, disagreed and struck down a Texas law banning desecration of the American flag on a 5-4 decision. Justice Rehnquist wrote in his dissenting opinion:

"The American flag, then, throughout more than 200 years of our history, has come to be the visible symbol embodying our Nation. It does not represent the views of any particular political party, and it does not represent any particular political philosophy. The flag is not simply another 'idea' or 'point of view' competing for recognition in the marketplace of ideas. Millions and millions of Americans regard it with an almost mystical reverence regardless of what sort of social, political, or philosophical beliefs they may have. I cannot agree that the First Amendment invalidates the Act of Congress and the laws of 48 of the 50 States, which make criminal the public burning of the flag."

Justice Stevens, a liberal member of the Court, joined in the dissent, stating that our flag, "is a symbol of freedom, of equal opportunity, of religious tolerance, and of good will for other people who share our aspirations. . . The case has nothing to do with 'disagreeable ideas.' It involves disagreeable conduct that, in my opinion, diminishes the value of an important national asset."

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Because the Supreme Court narrowly struck down anti-flag desecration statutes, both in 1989 and 1990, Congress is forced to amend the Constitution in order to protect our flag. The Senate is slated to once again debate the Flag Protection Amendment, which boasts the cosponsorship of 60 Senators, including myself. The House has already approved the amendment, as it has done six times before.

Our Constitution is designed, with good reason, to be difficult to amend. It is the foundation of our democracy, and the amendment process is the sentry that guards against those who would chip away our foundation. We cannot take this lightly – nor can we take lightly those who seek to incite Americans by desecrating the very symbol of all that America stands for.

As the Senate debates and votes on this amendment, we will not take it lightly. I truly wish we did not have to do this, but the courts have driven us to it. It is the only option to protect the symbol of America and the freedoms she stands for and has fought to protect the world over.

America is the “land of the free and the home of the brave.” Our flag reminds us of that every day, and it deserves the same protection as our inalienable rights.